

THE BIRTH CERTIFICATE IS A TRUST

By: James Hazel

The most common question raised by people who are exposed to 'the trust theory', is whether the birth certificate is in fact an express trust as we allege. It is a valid question, and deserves a thoughtful answer.

THE UNIFORM TRUSTEES' POWERS ACT (UTPA) regulates EXPRESS TRUSTS that are created by trust instruments. (See: ORS 128.005(1)). The trust (not necessarily the 'trust instrument') must provide that a trustee has the duty to administer a trust asset for the benefit of a named or otherwise described income or principal beneficiary, or both. UTPA specifically exempts 'constructive trusts' from its regulation.

An express trust can be, "A trust that is created by the direct and positive acts of the parties, by some writing impliedly evincing an intention to create a trust". (Black's Law Dictionary).

Some confusion arises because the birth certificate appears to establish a constructive trust. A constructive trust (See: Black's Law Dictionary) is one raised by construction of law, or arising by operation of law, as distinguished from an express trust. The main proof against that argument is that a constructive trust, like a resulting trust, is abstract; not written. Obviously, the birth certificate is a writing. Curiously, fraud, active or constructive, is the essential element of constructive trusts. (Black's).

The fact that the birth certificate is a written instrument does not in itself make it a trust. But that is one essential element of an express trust that we can eliminate. Other elements are that the trust provide that a trustee has the duty to...administer a trust asset...for the benefit of a named or otherwise described income or principal beneficiary, or both.

If you've examined our articles which document that the United States was bankrupted in 1928-1932, and has since been in a condition of receivership, you know that the state, which is NAMED on every birth certificate, is both an income and the principal beneficiary of every citizen. Even if you do not yet possess that knowledge, you certainly are aware that the state claims a legislatable interest in every child within its jurisdiction. You may not be able to cite the statutes, but you know the state will, if it is deemed necessary, nullify your parental rights and appoint a guardian (trustee) over your children.

The United States pledged 'the full faith and credit of the United States' (including its citizenry) as collateral for loans of credit from the Federal Reserve system. Each of us, including

our children, are ASSETS of the bankrupt United States. We are HUMAN RESOURCES. And the state has repeatedly claimed that 'our' children are our most valuable resource.

The subject of each birth certificate is a CHILD. The child is a very valuable asset which, when properly trained, can be milked of its labor for many years. The child itself is the asset or corpus of a trust established by the birth certificate.

The mother or parents are 'appointed' during good behavior to serve as trustees for the asset. Her, or their name(s) appear on the trust instrument. They are required to see to the child's care, feeding, shelter and education. Should they default in their duties, the state will appoint other trustees.

The duties incumbent on parents are explicitly spelled out not only in THE UNIFORM TRUSTEES' POWERS ACT, but throughout every state's statutes.

All of the elements that are necessary to establish an express trust are expressed or implied on the face of every birth certificate. The asset or corpus of the trust is named and described (the child). The trustees are named and described. The income and principal beneficiary is named. The trustees' administrative duties are implied, but are commonly understood. The instrument establishes a trust, where none could exist before the live birth of a new citizen.

The birth certificate does indeed create a trust. As the child matures, the trust may acquire other assets, such as income, inheritances, gifts, etc. When he reaches maturity, he will assume trusteeship over the remaining corpus of the trust, and will have a duty to administer the assets and income for the benefit of the state.

Typically, he will merge with another trust, the issue of which will be willed via birth certificates to the state. And, God willing and the creek don't rise, the cycle of slavery will repeat itself ad infinitum.

I hope this answers some questions, instead of raising more.

CERTIFICATE. A document in use in the English customhouse. No goods can be exported *by certificate*, except foreign goods formerly imported, on which the whole or a part of the customs paid on importation is to be drawn back. Whar-ton.

Date 11 June 1993

To: Mr. Bill Conklin
c/o NCBA
PO Box 2255
Longmont CO 80502

Dear Bill:

Regarding your \$50,000 reward, offered in the May, 1993 NCBA REPORTS if I can show you 1) what statute makes you liable to pay an income tax and 2) how you can file a tax return without waiving your Fifth Amendment protected rights:

Are those intended to be trick questions?

First - as I believe you are aware: no one can PAY a debt or obligation when the only money generally available is (monetized) debt. The best one can do is to DISCHARGE the debt or obligation. For purposes of this letter I am going to assume you are asking what statute makes you liable to DISCHARGE an income tax. But we need not be too picky on this point, since legislators have redefined the term 'pay'. They use it in statutes to mean 'discharge'.

Second - you do not provide enough information to enable anybody to answer your first question. How many \$ of income do you manage for the WILLIAM CONKLIN trust? If it is less than the minimum required for filing a return, you are not liable to discharge an income tax. But if it is above that minimum.....

Assuming you are a resident of Colorado, you will find the statute that makes you liable to pay an income tax in the Colorado statute books. In Oregon the statute is ORS 128.009. If you will look up the Colorado UNIFORM TRUSTEES' POWERS ACT you should find a virtually identical statute as this:

ORS 128.009(3)(t): "A trustee has the power, subject to subsections (1) and (2) of this section to pay taxes, assessments, compensation of the trustee, and other expenses incurred in the collection, care, administration, and protection of the trust".

Exercise of all the powers granted to an Oregon trustee is made mandatory by. ORS. 128.009 (2), which provides: "In the exercise of powers including the powers granted by ORS 128.003 to 128.051 and 128.065, a trustee has a duty to act with due regard to obligation as a fiduciary". All Oregon trustees are fiduciaries for the state, United States, the International Monetary Fund and United Nations Organization. I think I can safely presume that residents of Colorado are bound by the same obligations under that state's UNIFORM TRUSTEES' POWERS ACT' and you have contracted to adhere to all of the applicable laws of all of those organizations. So much for the statute that makes you liable.

As to your second question: Since a trustee, while exercising his power and duty to pay a tax for the trust, has no right contemplated by, expressed in, or protected by the Fifth Amendment, he (and you) cannot waive that which he doesn't possess.

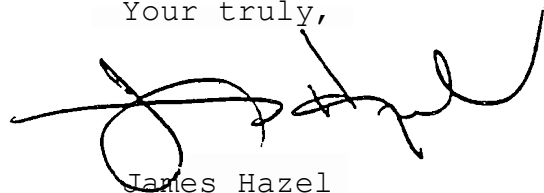
I am enclosing a 3-page article which supports the above in very general terms. I strongly suggest that you and all of your friends and associates seriously consider the relevance of trusts to 'the income tax (and virtually every other freedom-movement) issue'.

Your offer, in its present terms, cannot be claimed by anyone. As you know, over the years several patriot-types have made very similar offers. You'll probably be the first to admit it is a publicity/promotional gambit. What's interesting, whether you were aware of it or not, is that the dual questions are RIDDLES. Riddles invite people to focus their attention on seemingly obvious, but irrelevant matters. In this case they focus on Title 26, the 16th amendment and the Fifth Amendment, when the solutions are outside that spectrum.

With your vast experience with the IR Code, etc., you can continue to bind the attention of freedom-seekers to the IR Code, until they drown in it. Or you can determine exactly what makes so many people liable to labor for their own enslavement, and begin to help lead them (if they can be led) out of the morass we are collectively wallowing in.

Whatever you do, Bill, I wish you the best.

Your truly,

A handwritten signature in black ink, appearing to read 'James Hazel', with a large, stylized initial 'J' and a long, sweeping underline.

James Hazel

FALSE ASSUMPTIONS

BIRTH DATES

Acting on false assumptions instead of on facts assures that our actions will lead us into unintended obstacles. You cannot reach desired goals by taking the wrong paths. In no case is this more apparent than in the matter of dates of birth. Make the wrong assumption, and you will grovel in inescapable slavery. Act on the facts, and you will set yourself free. Here are some facts that are relevant to the subject of dates of birth:

Like many, many other words, "birth" and "date" have precise legal meanings which if not fully comprehended will lead us into great trouble.

Through long training, habit and repetition we come to associate our date of birth with that day, month and year on which we squeezed, kicking and screaming from our mother's womb. It's been a bad habit with terrible consequences for most of us. That day of our natural entrance into this world is not the birth date of the person named on the birth certificate! We have been suffering under a false assumption. It's high time we corrected the error.

BOUVIER'S LAW DICTIONARY (1867) defines "birth" as "the act of being wholly brought into the world". In expanding on this succinct definition, Bouvier's remarks restrict the legal meaning to the subject of actual, physical childbirth.

It goes without saying that a lot of water has passed under the bridge since Bouvier penned his authoritative definition of "birth". The forms of government have been radically altered, and in many instances words have been assigned different meanings. Sometimes the differences are subtle; sometimes extreme.

Today, Black's Law Dictionary (Fifth Edition) defines "birth" to appear deceptively similar to the definition given by Bouvier. Black's Dictionary defines "birth" as "The act of being born OR wholly brought into separate existence". The careless observer will discern no significant differences between the definitions given by Bouvier and Black. But the differences are VERY SIGNIFICANT!

Bouvier does not provide a definition for "born". But if he had, we can discern from his definition of "birth" that he would define "born" as describing a human birth.

Black's does provide its definition of "born" to mean:

"Act of being delivered or expelled from mother's body".

Black's definition for "born" is essentially identical to Bouvier's definition for "birth". This is also Black's first of two definitions for "birth". And like Bouvier's, Black's first definition of "birth" describes a human birth.

But Black continues in his definitions of "birth", providing a different, alternate definition, "...OR (the act of being) wholly brought into separate existence".

There is a subtle but significant difference between Bouvier's "brought wholly" and Black's "wholly brought".

In the case of Bouvier's definition, "wholly" describes the total extent to which one comes forth and separates from the womb; that not just parts of the new creature have exited and taken on separate existence, but all of him. This refers only to a natural child/being.

Black's uses "wholly" to describe the extent to which a generic entity, not a human being, is deemed to have experienced "birth". "Birth" by Black's second definition requires that the subject be completely and totally brought into existence. The difference between "wholly brought" and "brought wholly" is something of a brain-teaser, but meditate on it and the difference will come to you.

Bouvier refers to the child being brought into the WORLD, the connotation being that something real and substantial, observable by the senses has arrived on the planet.

Black's "brought into separate existence" can easily include a legal fiction or other artificial entity, such as a name/person. A good example would be a corporation; an artificial person.

So far our inquiry has established that in modern legal jargon "birth" can mean the delivery of a human child, OR the act of bringing into full and complete existence an artificial entity.

We find similar games played with the word, "DATE"!

Bouvier defines "date" to mean, "The designation or indication in an instrument of writing of the time AND PLACE when and WHERE it was made". More: "Written instruments generally take effect FROM THE DAY OF THEIR DATE, but the actual day of execution may be shown, though different from that which the instrument bears".

Black's 'convenient' definition of "date" does not include THE PLACE WHERE THE INSTRUMENT IS EXECUTED: "The specification or mention, in a written instrument, of the time (day month and year) when it was made (EXECUTED)". (Parentheses in original; emphasis, mine).

Black's defines "executed" as "COMPLETED: CARRIED INTO FULL EFFECT; already done or performed; SIGNED; taking effect immediately; NOW IN EXISTENCE or in possession; CONVEYING AN IMMEDIATE RIGHT OR POSSESSION. Act or course of conduct carried to completion. Term imports idea ..that NOTHING REMAINS TO BE DONE".

The PLACE at which a written instrument is executed is of extreme significance to its effect. For example, a statute enacted. by the California legislature. may have great effect on the lives of Californians...but none on Oregonians. By deleting "place" as an element of the definition of "date", Black's, the 'official' lawyers' dictionary, minimizes the importance of "place" while diverting attention away from its significance.

THE BIRTH CERTIFICATE THE SOURCE OF ALL ENSLAVING ADHESION CONTRACTS

The birth certificate 'creates' an artificial entity. In the beginning that entity is merely a name, attached to which are other names of state-certified parents, doctors, informants and places.

The certificate is a written instrument created by a 'registrar' who is an employee/agent of a 'jurisdiction' of the place in which the certificate is created. Neither the registrar nor his principle created the human baby who is merely grist for the certifying process. The only things bureaucrats can create are artificial entities and 'legal' fictions.

A birth certificate is EXECUTED by signing, filing and recording it, which constitutes the act of wholly bringing the certificate (and the artificial entity it creates) into separate (distinct, unique) being. The subject matter of the written instrument (certificate) is the live birth of an infant. But it is not the live birth that is EXECUTED by signing, filing and recording the certificate. That had already been accomplished, usually several days before the filing, by conception and gestation, consummated by a child being born. Neither the state nor its registrar had anything to do with 'executing' the live birth of the child.

The "DATE" {specification in the written instrument of the time when it was executed) is the day, month and year on which the certificate was signed and filed; i.e. the time it executed; when the 'official name'/artificial entity /record, mentioned in the certificate was wholly brought into separate existence. In other words, by Black's SECOND DEFINITION...the DATE of BIRTH of the record/entity.

Natural persons (real, live, flesh and blood people) have birthdays which commemorate anniversaries of their BEING BROUGHT WHOLLY INTO THE WORLD. THEY DO NOT HAVE BIRTHDATES!

Only state-certified NAMES have BIRTHDATES or DATES OF BIRTH! There is nothing about these DATES in the nature of commemoration or memorial; nothing happy, sad, or otherwise emotional about them. Such DATES OF BIRTH are merely cold, dispassionate facts which testify to the time and place of birth of the certificate.

Except when he is applying for a benefit that is made available only to artificial, state-certified persons, an individual is free to go by any name that pleases him. He is under no legal or moral compulsion to use the name attributed to him on a birth certificate. However, if he uses that name, or a similar variation of it, he should be very careful in separating the two; the natural and artificial creatures. He must remember: HE IS NOT THE NAME AND THE NAME IS NOT HIM!

For example...when he is acting. 'as attorney' for the artificial being, he should provide its BIRTHDATE when required by business dealings. Alternatively, when he wishes to enjoy the Rights inherent in natural individuals, he will want to distinguish between DATES and days...and never state that his BIRTHDATE is the same as his birthday. The safest course is to avoid situations (such as applying for or using benefits) where the giving of a BIRTHDATE may be 'innocently' construed as intent to obligate the natural person.

Not too many decades ago, birth certificates were generally perceived as innocuous and harmless. Most people believed them to be beneficial in that they established reliable records for genealogies, and assisted in expediting inheritances, probate matters, and the like. Few people were ALARMED by sinister implications surrounding birth certificates...or the potential for abuse inherent in them. It was this very absence of fear or concern that permitted them to eventually be used against us. NOBODY WAS WATCHING! Nobody was warning their children about the dangers of birth certificates. Nobody was educating the people on how they could be used as 'government weapons against the people'...or how the people could defend themselves from such assaults.

And today, most people still BELIEVE that birth certificates are harmless...and beneficial.

The danger with birth certificates is that, with just a little indoctrination by parents and government schools, most people confuse the two entities involved (natural person and artificial person). They do this primarily as a result of being trained from childhood to believe the DATE OF BIRTH is synonymous with the day of birth. After a while most people cannot distinguish between the name and their mortal being. They say, "I am John Smith II more frequently than they will say "My name is 'John Smith'" It is this indoctrinated inability to distinguish between the two that gets people in serious trouble.

They enter into adhesion contracts with 'government' agencies, that strip them of the ability to exercise natural rights,

and obligate them to all manner of demeaning servitude.

Black's defines "ADHESION CONTRACT" as a:

"Standardized contract form offered to consumers of goods and SERVICES on essentially 'take it or leave it' basis without affording consumer realistic opportunity to bargain and under such conditions that consumer cannot obtain desired product or SERVICES except by acquiescing in form contract. Distinctive feature of adhesion contract is that weaker party has no realistic choice as to its terms."!

An intractable system of 'governance' has developed by which it is made difficult for the natural person to exist, much less thrive, except he contract with 'government' agencies. Adhesion contracts seem to be required of him to own and drive a car, own or rent property, acquire food, gasoline...and most critically, to obtain the 'government' federal reserve notes ("cash") necessary to secure these 'benefits'.

Every such 'benefit' is made available only to artificial, state-certified persons. To prove that one is eligible for the benefits, he must produce a BIRTHDATE and often even the certificate (instrument) that certifies the DATE given is accurate.

Do you see what happens!? The contractor provides, not the DATE OF BIRTH of the certificate, but his BIRTHDAY. The bureaucrat never argues, even though the face of the certificate proves the applicant is lying. (The customer is always right)! The bureaucrat merely pushes the adhesion contract across the counter for the applicant's signature. The contract is executed, and the natural person, who by association with the DATE OF BIRTH of an artificial entity binds and obligates himself to whatever onerous specific performance will be required of the contractor.

By submitting a BIRTHDATE, the contract ADHERES to the hapless individual. Invariably, one condition of such contracts is that, should any controversies arise, the applicant agrees to let the matter be arbitrated in the "company courts". Neither natural rights nor 'constitutional rights' are issues, nor are they permitted expression in such courts.

STOP BEING A SLAVE! GET YOURSELF FREE! DON IT CONFUSE THE BIRTHDATE WITH THE DAY ON WHICH YOU WERE BORN. THEY ARE NEVER THE SAME. CLEAN UP YOUR ACT. SINCE YOU PROBABLY CANNOT REMEMBER EVERY INSTANCE IN WHICH YOU INNOCENTLY PROVIDED A WRONG BIRTHDATE TO RECEIVE A BENEFIT, PUBLISH A PUBLIC APOLOGY AND RETRACTION. SET THE RECORD STRAIGHT. SEND COPIES OF THE NOTICE TO THE BUSINESSES YOU DO REMEMBER DEALING WITH SUCH AS THE IRS, SOCIAL SECURITY ADMINISTRATION, AND DMVS. AND.....GOOD LUCK!!

BIRTH. The act of being ~~born or~~ wholly brought into separate existence.

DATE. The specification or mention, in a written instrument, of the time (day, month and year) when it was made (executed). Also the time so specified.

BIRTHDATE (DATE OF BIRTH) IS THE TIME ENTERED ON A BIRTH CERTIFICATE WHICH SPECIFIES WHEN THE REGISTRAR SIGNED (CERTIFIED) THE WRITTEN INSTRUMENT. EXECUTION IS EFFECTED BY THE ACT OF SIGNING. SIGNING (EXECUTION) IS THE ACT THAT WHOLLY BRINGS THE CERTIFICATE INTO SEPARATE EXISTENCE. -IT IS INDEED SEPARATE FROM THE NATURAL PERSON (INFANT) WHOSE NAME I.S. MENTIONED ON IT!